

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

RONNIE GILES,)
)
Plaintiff,)
)
vs.) CAUSE NO. 3:06 CV 528-WKW
)
MASTERBRAND CABINETS, INC.)
)
Defendant.)

DEFENDANT'S PROPOSED ADDITIONAL VOIR DIRE QUESTIONS

Defendant, MasterBrand Cabinets, Inc., by counsel, respectfully requests that the Court pose the following questions to the jury venire during voir dire in addition to its standard voir dire questions.

1. Did you know any of the members of this jury panel prior to being called to jury duty? If so, who, and describe your relationship with that member(s) (e.g., friend, neighbor, attend same church or school).
2. Have you ever been employed at MasterBrand Cabinets?
 - a. If so, please explain.
 - b. If you are no longer employed, how did your employment end?
 - c. Do you have an opinion about MasterBrand Cabinets that is influenced by the way your employment ended?

3. Do you know any employee(s) of MasterBrand Cabinets?
 - a. If so, please identify the employee(s).
 - b. Has the employee(s) conveyed to you any feelings or opinions about their experience working for MasterBrand Cabinets?
4. Have you or anyone close to you ever had any business relationship with MasterBrand Cabinets? If so, please explain.
5. Have you read, heard or seen anything about MasterBrand Cabinets that has caused you to form an opinion about them? If so, please explain.
6. Have you ever worked in a manufacturing operation?
 - a. Describe your job.
 - b. How long did you work in manufacturing?
 - c. While working in manufacturing, did you supervise employees?
7. Have you ever been formally disciplined by an employer, fired from a job, or asked to resign? If so, describe the situation.
8. Have you ever held a supervisory position?
 - a. If so, describe.
9. Have you ever worked in a human resources position?
 - a. If so, describe.
10. MasterBrand Cabinets is a manufacturer of kitchen and bathroom cabinets, but they also are an employer. Mr. Giles, of course, is an individual. Do you

have any beliefs or feelings for or against companies, or any other business entities that might prevent you from being completely fair and impartial in this case? If so, please explain.

11. Is there anything in your background and experience that would make it difficult for you to be fair and impartial in a case in which the plaintiff alleges retaliation in the workplace?

12. Do you believe there is retaliation where you work? If so, what causes you to believe that?

13. Do you believe that you, or any member of your family or a close friend, have ever been retaliated against in the context of an employment situation?

- a. If so, please explain the details of the situation.
- b. How was that situation resolved?
- c. Were you (or your family member or close friend) satisfied by the resolution?

14. Have you, or has a member of your family or a close friend, testified in or otherwise been involved in a dispute with an employer?

- a. If so, what was the nature of the dispute?
- b. If so, how were you (or your family member or close friend) involved?

15. Have you, or a family member or close personal friend, ever had any experience in connection with your employment that might tend to cause you to favor one side or the other in an employment case?

a. If so, please explain the circumstances that cause you to feel this way.

16. Do you understand that someone who files a lawsuit must prove his or her case?

17. Do you understand that if you serve on a jury, your decision will have to be based solely on the evidence and the law?

18. Is there any reason why you would have trouble following the law as instructed by the Court even if you disagree with the law?

19. Do any of you have any opinion as to how this case will be decided? If so, what is it and what is your opinion based on?

20. Have you or anyone in your immediate family ever taken a leave of absence from work that was covered under the Family and Medical Leave Act or been denied such a leave?

21. Do you know an individual by the name of Ronnie Giles? If so, how?

22. Do you know anyone related to Mr. Giles by blood or personal relationship?

23. Allen Arnold and David Arendall are Mr. Giles's attorneys. Do you know Mr. Arnold or Mr. Arendall? Do you know anyone at their law firm? If so, please explain.

24. MasterBrand Cabinets' attorneys are Mark Romaniuk and Kelley Creveling of the law firm of Baker & Daniels LLP. Do you know Mr. Romaniuk or Mrs. Creveling? Do you know anyone at their law firm? If so, please explain. Have you heard anything about either of them or that firm?

25. During the trial of the case, the parties may call a number of witnesses. I am going to read you a list of witnesses, and then ask if you are related to or know any of them. [Read final witness lists]

a. If you are related to or know any of the witnesses, please explain.

b. Would your relationship influence your opinion of the testimony given by the witness or otherwise impact your judgment in this case?

26. Have you ever heard of any of the facts or events in this case? If so, please explain.

27. Is there anything in your background and experience that would make it difficult for you to be fair and impartial in a case in which the plaintiff alleges retaliation in the workplace?

28. Have you ever held a supervisory position?

a. If so, describe.

29. Have you ever worked in a human resources position?
 - a. If so, describe.
30. Have you ever recommended the discharge of an employee or been involved in the decision to discharge an employee?
 - a. If so, describe the situation and your recommendation.
 - b. What was the outcome?
 - c. Did you believe the situation was handled properly? If not, why not?
31. Do you believe there is retaliation where you work? If so, what causes you to believe that?
32. Do any of you have any opinion as to how this case will be decided? If so, what is it and what is your opinion based on?
 33. Have you heard or seen anything that has influenced or will influence your opinion in this case? If so:
 - a. What did you see or hear?
 - b. How will it influence you?
 34. Can you think of any reason not already discussed why you could not be fair to both sides in this case? If so, explain.

Respectfully submitted,

s/Kelley Bertoux Creveling
Mark J. Romaniuk (#15255-49)
Kelley Bertoux Creveling (#19309-49)
BAKER & DANIELS LLP

300 N. Meridian Street, Suite 2700
Indianapolis, IN 46204
Phone: (317) 237-0300
Fax: (317) 237-1000
mark.romaniuk@bakerd.com
kelley.creveling@bakerd.com

Attorneys for Defendant

CERTIFICATE OF SERVICE

I certify that on August 7, 2007, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following party by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

David R. Arendall
Allen D. Arnold
Arendall & Associates
2018 Morris Avenue, Suite 300
Birmingham, Alabama 35203

Attorney for Plaintiff

s/Kelley Bertoux Creveling
